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THE SITUATION OF DEMOCRACY AND HUMAN RIGHTS IN HAITI
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Forty-eighth year

Letter dated 13 January 1993 from the Permanent Representative of Venezuela to the United Nations addressed to the Secretary-General

I have the honour to address you in order to transmit to you herewith a copy of press release No. 1/93 of 8 January 1993, issued by the Inter-American Commission on Human Rights of the Organization of American States (see annex).

The press release in question serves to illustrate in particular the conditions prevailing in Haiti and the urgent need facing the international community to join efforts to restore democracy in that country and ensure full observance of the human rights of its population.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda items 22 and 97 (c), and of the Security Council.

(Signed) Diego ARRIA
Permanent Representative

ANNEX

Press release No. 1/93 of 8 January 1993 issued by the Inter-American Commission on Human Rights of the Organization of American States

For more than three months, the Inter-American Commission on Human Rights (IACHR) has repeatedly requested the consent of the de facto Government of Haiti in order to visit that country and be able to verify in situ the numerous reports that have been received of human rights violations attributed to repressive actions by the armed forces, the police and auxiliary civilian groups operating under their orders. IACHR informed the Government of its intention to make two visits: an initial fact-finding visit, which was to be carried out from 13 to 15 December 1992 and a visit in loco, which was to be made from 11 to 15 January 1993. The de facto Government has still not given the necessary consent. On the contrary, on 8 December, the Commission received a communication from the Ministry of Foreign Affairs of Haiti informing it that the date for carrying out the visits would be communicated in the next few days; however, it was not until a month later that the de facto authorities replied that "the visit by the Inter-American Commission on Human Rights does not seem necessary to the Haitian Government".

Reports submitted by the victims themselves and information from reliable sources indicate that numerous persons have been summarily executed, illegally arrested, maltreated and tortured by members of the armed forces and the police. In most cases, the victims have been supporters of deposed President Jean-Bertrand Aristide and other cases involve people that are merely suspected of supporting him. Demonstrations and meetings have been violently suppressed; and journalists have not been permitted to make the facts known. Many of the victims of such violations are leaders or members of people's and human rights organizations, students, journalists, shopkeepers, farmers and members of the Catholic Church.

In rural areas, the repression and violence have been aggravated by the reappearance of the "Section Chiefs", who operate with the acquiescence of the military and in complete impunity. Both in the country's capital as well as in the provinces, the population is the victim of corruption on the part of the de facto authorities as well as extortion carried out against civilians by the military, who require them to pay sums of money in order to avoid being arrested or maltreated or simply to improve the conditions in which they live in the detention centres and sometimes even to obtain their freedom.

The climate of fear and insecurity in the country has caused a situation in which a large part of the population, particularly those who support the return of President Aristide, is seeking refuge in the interior of the country, thus being forced to abandon their homes and go into permanent hiding. This situation has also forced a large number of Haitians to flee the country in unsafe vessels in order to request asylum in the United States.

The practice of "preventive repression" carried out against the civilian population and the deterioration of the political situation have caused continued violations of individual guarantees, such as the right to life, physical safety, individual freedom, freedom of opinion and expression and freedom of assembly and association; all these guarantees are protected by the American Convention on Human Rights, to which the Republic of Haiti is a State party.

The Commission should point out that, regardless of the political situation in a State party, the American Convention on Human Rights continues to be in force. Accordingly, the Commission stresses that those exercising power in a State, albeit de facto power, are obliged to respect the individual human rights recognized by the American Convention on Human Rights.

The Special Meeting of Ministers of Foreign Affairs adopted on 13 December 1992 a resolution entitled "Restoration of democracy in Haiti" (MRE/RES.4/92), which decided to "mandate the Chairman of the Special Meeting of Ministers of Foreign Affairs and the Secretary-General of the Organization of American States to cooperate in implementing the measures taken by the Chairman of the Inter-American Commission on Human Rights, taking into account the grave and persistent violations of human rights in Haiti and, in view of the refusal by the current, de facto authorities, in order to enable the Commission to carry out a visit in loco as soon as possible".

The Inter-American Commission on Human Rights remains firmly determined to go to Haiti in order to investigate in the field the grave violations reported and, in view of the refusal by the de facto Government to cooperate with the Commission, reiterates its appeal to all non-governmental human rights organizations, particularly those operating in Haiti, as well as the victims and their relatives and, in general, all those who, because of the political crisis, have suffered any violations of their individual guarantees, to transmit their reports to IACHR.

The Inter-American Commission on Human Rights calls upon the de facto Government and, particularly, the armed forces to halt their systematic violations of human rights, of which the Haitian population is the victim.

Washington, D.C., 8 January 1993